

### Remarks

#### Summary of the Office Action

Claims 1-6, 51-56, and 101-106 were pending in this application. Claims 7-50, 57-100, and 107-150 were cancelled after being withdrawn from consideration pursuant to applicants' reply to the restriction requirement of June 1, 2006.

Claims 1, 2, 51, 52, 101, and 102 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sloo U.S. Patent No. 5,895,450 (hereinafter "Sloo").

Claims 3, 5, 6, 53, 55, 56, 103, 105, and 106 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sloo in view of Vaidyanathan et al. U.S. Patent Publication No. 2004/0059596 (hereinafter "Vaidyanathan").

Claims 4, 54, and 104 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sloo in view of Kilibaner U.S. Patent Publication No. 2002/0161597 (hereinafter "Kilibaner").

#### Summary Applicants' Reply

Applicants have amended claims 1, 4, 5, 51, 54, 55, 101, 104, and 105 to more particularly define the invention. Applicants have also added new dependent claims 151-177. No new matter has been added and the amendments and new claims are fully supported by the originally-filed specification.

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

#### Telephonic Interview Summary

On October 15, 2007, a telephonic interview took place between the Examiner and the undersigned. The

undersigned wishes to thank the Examiner for the courtesies extended during the telephonic interview.

During the telephonic interview, undersigned and the Examiner discussed the proposed amendments. However, the Examiner did not take any position regarding the proposed amendments.

Applicants' Reply to the Rejection of  
Claims 1, 51, and 101 Under 35 U.S.C. § 102(b)

Claims 1, 51, and 101 are rejected under 35 U.S.C. § 102(e) as being anticipated by Sloo.

Applicants' amended independent claims 1, 51, and 101 are directed, *inter alia*, toward a method and systems for guiding a user through dispute resolution using a dispute management application that provides a user with a sub-plurality of dispute resolution paths along with estimated dispute resolution information about the paths, in response to the user's profile information. Each dispute resolution path is made up of a plurality of steps that implements at least one dispute resolution mechanism. The steps of the dispute resolution paths are displayed along with the estimated dispute resolution information. The user is then prompted to select one of the paths, which is initiated in response to the selection.

Sloo refers to a system for handling and resolving user complaints against subjects. The system resolves all disputes through one of three resolution mechanisms: negotiation, a judge/jury, or an automatic judgment system. The user is required to select one of these three dispute resolution options for all of the disputes without any guidance from the system.

Sloo does not show "determining a sub-plurality of dispute resolution paths for resolving the dispute from a plurality of dispute resolution paths based on the profile," as recited by applicants' independent claims. Instead Sloo only refers to providing users with the three dispute resolution mechanisms described above irrespective of the information provided by the user. Sloo does not provide only sub-plurality of dispute resolution mechanisms and therefore also does not determine the sub-plurality of dispute resolution mechanisms based on a user's profile.

Sloo also does not show "determining estimated dispute resolution information at the second computer for each of the determined dispute resolution paths based on the profile" and "displaying ... the estimated information [prior to the selection of a dispute resolution path]," as recited by applicants' independent claims. In fact, prior to the selection of a particular dispute resolution option Sloo does not determine any information about the dispute resolution options based on a user profile or provide any such information to the user prior to the user's selection of a dispute resolution path.

Finally, Sloo does not show "displaying at the first computer the plurality of steps for the determined dispute resolution paths for resolving the dispute[prior to the selection of a dispute resolution path]," as recited by applicants' independent claims. The Examiner asserts that "any prompts that aid the user in moving the process along meets the limitation of displaying steps for resolving the dispute." (Office Action, page 9). However, any such prompts in Sloo only occur after the user has selected a dispute resolution option. Thus, Sloo does not show displaying step for a sub-plurality of determined dispute

resolution paths prior to the selection of a dispute resolution path.

Accordingly, at least because Sloo fails to show each of these features of applicants' amended independent claims 1, 51, and 101 the rejection over Sloo under 35 U.S.C. § 102(b) should be withdrawn.

Applicants' Reply to the Rejection of  
Claims 2-6, 52-56, and 102-106

The remaining dependent claims, including newly added dependent claims 151-177, all depend from claims that are novel and non-obvious over the prior art. Accordingly, for at least this reason (and applicants reserve the right to argue additional reasons should prosecution continue), the rejection of these claims should be withdrawn (In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

/Michael J. Chasan/  
Michael J. Chasan  
Registration No. 54,026  
Agent for Applicants

ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, New York 10036  
(212) 596-9000